

2 **SHB 1433** - S COMM AMD

3 By Committee on Human Services & Corrections

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5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 43.17.360 and 1996 c 261 s 2 are each amended to read  
8 as follows:

9 (1) The department of social and health services and other state  
10 agencies may lease real property and improvements thereon to a  
11 consortium of three or more counties in order for the counties to  
12 construct or otherwise acquire correctional facilities for juveniles or  
13 adults.

14 (2) A lease governed by subsection (1) of this section shall not  
15 charge more than one dollar per year for the land value and facilities  
16 value, during the initial term of the lease, but the lease may include  
17 provisions for payment of any reasonable operation and maintenance  
18 expenses incurred by the state.

19 The initial term of a lease governed by subsection (1) of this  
20 section shall not exceed twenty years, except as provided in subsection  
21 (4) of this section. A lease renewed under subsection (1) of this  
22 section after the initial term shall charge the fair rental value for  
23 the land and ~~((facilities, and may))~~ improvements other than those  
24 improvements paid for by a contracting consortium. The renewed lease  
25 may also include provisions for payment of any reasonable operation and  
26 maintenance expenses incurred by the state. For the purposes of this  
27 subsection, fair rental value shall be determined by the commissioner  
28 of public lands in consultation with the department and shall not  
29 include the value of any improvements paid for by a contracting  
30 consortium.

31 (3) The net proceeds generated from any lease entered or renewed  
32 under subsection (1) of this section involving land and facilities on  
33 the grounds of eastern state hospital shall be used solely for the  
34 benefit of eastern state hospital programs for the long-term care needs  
35 of patients with mental disorders. These proceeds shall not supplant  
36 or replace funding from traditional sources for the normal operations

1 and maintenance or capital budget projects. It is the intent of this  
2 subsection to ensure that eastern state hospital receives the full  
3 benefit intended by this section, and that such effect will not be  
4 diminished by budget adjustments inconsistent with this intent.

5 The initial term of a lease under subsection (1) of this section  
6 entered into after January 1, 1996, and involving the grounds of  
7 Eastern State hospital, shall not exceed fifty years. This subsection  
8 applies retroactively, and the department shall modify any existing  
9 leases to comply with the terms of this subsection. No other terms of  
10 a lease modified by this subsection may be modified unless both parties  
11 agree.

12 NEW SECTION. Sec. 2. If any provision of this act or its  
13 application to any person or circumstance is held invalid, the  
14 remainder of the act or the application of the provision to other  
15 persons or circumstances is not affected.

16 NEW SECTION. Sec. 3. This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and takes effect  
19 immediately."

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23 On page 1, line 2 of the title, after "facilities;" strike the  
24 remainder of the title and insert "amending RCW 43.17.360; and  
25 declaring an emergency."

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